

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

HURST,

No. C 08-2518 WDB

Plaintiff,

ORDER FOLLOWING INITIAL CASE  
MANAGEMENT CONFERENCE

v.

CITY OF ALAMEDA,

Defendant.

On October 6, 2008, the parties appeared for an Initial Case Management Conference. In their Joint Case Management Statement and on the record during the Conference, the parties indicated that they were amenable to attempting to resolve this action through a court-sponsored ADR session that likely would be a hybrid of mediation and early neutral evaluation. Accordingly, the Court decided to defer setting a trial date until after the parties have attended the ADR session that must occur by no later than Friday, January 30, 2009.

A member of the Court's ADR Department will contact the parties directly to set the exact date for the session. The Court encouraged the parties to use the time leading up to the ADR event to disclose material information and documents to one another and to undertake any surgical discovery that is necessary to have a productive ADR session. In particular, during the month of November 2008, counsel should make every good faith effort to depose the two witnesses and the Plaintiff.

If the parties are unable to settle the case, they must appear before the undersigned on **Wednesday, February 11, 2009, at 1:30 p.m.**, for a further case management conference during which the Court will set a trial date. Counsel may appear by telephone for the

1 conference by notifying the undersigned's administrative law clerk at least two days before  
2 the hearing at (510) 637-3324. **By no later than Monday, February 9, 2009, at noon**, the  
3 parties must file a Further Joint Case Management Statement that describes the discovery that  
4 has taken place and suggests a specific case development plan and schedule. The parties  
5 must not include in this Statement any information about the substance of their settlement  
6 negotiations.

7 If the matter settles before February 11, 2009, the parties must promptly prepare and  
8 file dismissal papers and notify the Court by calling (510) 637-3324.

9 IT IS SO ORDERED.

10 Dated: October 6, 2008

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13 WAYNE D. BRAZIL  
14 United States Magistrate Judge  
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